

Message Text

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FM AMCONSUL HAMILTON

TO SECSTATE WASHDC 1879

C O N F I D E N T I A L HAMILTON 277

E.O. 11652: GDS

TAGS: ELAB, MILI, PINT, BD

SUBJ: LABOR DISPUTE AT NAS BERMUDA

REF: HAMILTON A-25

1. AT BIU REQUEST A MEETING WAS HELD AT CONGEN OFFICES OCTOBER 1. PRESIDENT OTTIWELL SIMMONS AND SECRETARY GENERAL EUGENE BLAKENEY OF THE BIU, CONGEN AND ECON/COMM OFFICER AND NAS PUBLIC WORKS OFFICER CDR SHATTNER WERE PRESENT.
2. SIMMONS MADE OPENING REMARKS STATING EXCHANGE OF LETTERS (SEE HAMILTON A-25) DID NOT AND COULD NOT SOLVE

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ANYTHING. WHAT WAS NEEDED WAS HONEST AND CANDID DISCUSSION. SIMMONS MADE FOLLOWING POINTS (A) PRECEDENTS (1) KWCC HAD TWO PREVIOUS CONTRACTS WITH BIU (2) NAS HAD BIU CONTRACT FOR ITS BERMUDIAN EMPLOYEES (3) ALL CONTRACTORS WORKING FOR NAVY HAD RECOGNIZED BIU EXCEPT KWCC (B) USG HAD RESPONSIBILITY FOR KWCC SINCE IT WORKING ON NAVY CONTRACT (1) USG POLICY OF SUPPORTING FREE LABOR MOVEMENT (2) USG RESPONSIBILITY UNDER LEASED BASES AGREEMENT TO UPHOLD RIGHTS OF BERMUDIANS (PRESUMABLY RECOGNITION OF BIU AND WORKERS RIGHT TO BE REPRESENTED BY BIU). (3) CONTRACTORS
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WORKING FOR USG SHOULD BE OBLIGED TO CONFORM TO LOCAL

CUSTOMS I.E. BIU RECOGNITION WHICH IS INDUSTRY-WIDE IN BERMUDA FOR LARGE CONTRACTORS (C) FAILURE RESOLVE DISPUTE WAS NOT IN USG INTERESTS SINCE CURRENT CONTROVERSY BOUND TO ERODE GOOD WILL TOWARD US OF CERTAIN PORTION OF LOCAL PEOPLES. IT WOULD ALSO HAVE ADVERSE AFFECT ON NAVY BASE BERMUDIANS PUBLIC RELATIONS. (D) UNLESS DISPUTE SETTLED SOON SIMMONS WOULD RAISE ISSUE AT ICFTU MEXICO CITY MEETING 17-28 OCT. CITING USG (USN-KWCC) IN VIOLATION OF ILO CONVENTIONS 87 AND 98 WITH RESPECT TO COLLECTIVE BARGAINING

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AND FREEDOM TO ORGANIZE (E) SIMMONS COMPLAINED OF INABILITY TO TALK WITH KW LOCAL WORKERS ON SITE (ORGANIZE) BECAUSE OF NAVY RESTRICTIONS RE ENTRY TO BASE. HE MENTIONED CHANGE IN ATMOSPHERE SAYING BASE USED TO HAVE OPEN HOUSE; YOU COULD BRING THE FAMILY AND KIDS, BUT NOT ANY MORE. (F) FINALLY HE SAID THAY HAD DEEMPHASIZED THE RACIAL ELEMENT IN THEIR ARGUMENTS AND KEPT IT COOL BUT REMINDED US MOST OF THE "UNDERPRIVILEGED" WORKERS WITH KW ON BASE WERE BLACK.

3. BLAKENEY ADDED FOLLOWING: (A) KWCC STATED BIU RECOGNITION COULD JEOPARDIZE ITS CONTRACT AND CAUSE LOSS OF POSTED BONDS BUT STANDARD FORM 23A (NAVY CONTRACT) CLAUSE 5(1) GAVE KWCC RELIEF IN CASE OF LABOR DISPUTE (STRIKE). (B) ELLENGERGER AFL-CIO WASHINGTON TOLD BLAKENEY NAVY POLICY (COMMANDER MAYS, SEE REF) WAS THAT NO EMPLOYER SHOULD REFUSE RECOGNITION TO A UNION BECAUSE OF THE TERMS OF THEIR CONTRACT WITH THE NAVY (C) BLAKENEY LETTER OF SEPT. 15 TO WILSON & SAVAGE DEVELOPMENT CO. MEMPHIS WHICH FORMALLY REQUESTED COMPANY RECOGNITION OF BIU REMAINS UNANSWERED AND (D) BIU WOULD LIKE FULL DETAILS ON KWCC WORKING CONDITIONS AT BASE

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INCLUDING SO CALLED "PRIVILEGES PACKAGE". BLAKENEY CLAIMED NEITHER UNION OR UNION MEMBERS AT KWCC WERE ABLE TO GET OR HAD FULL DETAILS.

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4. WE RAISED QUESTION OF SUBJECT BALLOT BY WORKERS AT UNION REQUEST TO DETERMINE WHETHER THEY WANTED UNION RECOGNITION (PARA 5 PREMIERS 18 SEPT LETTER TO SIMMONS HAMILTON A-25) AND NOTED BIU WOULD NOT AGREE TO SECRET BALLOT. BOTH SIMMONS AND BLAKENEY STATED BALLOT REQUEST IF ANY SHOULD BE BY KWCC NOT BIU. UNION HAD NEVER NEEDED BALLOT WITH CONSTRUCTION INDUSTRY IN PAST. FURTHER REASON INITIAL APPROACH TO KWCC FOR RECOGNITION HAD BEEN INFORMAL RATHER

THAN FORMAL (3C ABOVE) WAS BECAUSE KWCC HAD RECOGNIZED UNION ON TWO PREVIOUS OCCASIONS WHEN KWCC DOING JOBS IN BERMUDA.

5. WE REITERATED NAVY POLICY OF NOT INTERVENING IN LABOR DISPUTE BETWEEN UNION AND CONTRACTOR EXCEPT WHEN AND IF HOST GOVERNMENT REQUESTED USG TO ASSIST IN OBTAINING FROM COMPANY TREATMENT FOR WORKERS EQUIVALENT THAT GRANTED TO WORKERS BY OTHER COMPANIES OPERATING IN BERMUDA. SUCH WE SAID HAS NOT BEEN THE CASE. SIMMONS AGREED BUT POINTED OUT PRESENT GOB NOT LIKELY TO MAKE REQUEST. HOWEVER, IF THERE WERE OTHER GOVERNMENT MATTERS WOULD BE

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QUITE DIFFERENT AND THIS COULD HAPPEN. WE SHOULD THINK OF FUTURE, HE SAID.

6. OCT. 2 WE CONVEYED GIST OUR MEETING WITH SIMMONS-BLAKENEY TO MIN LABOR WOOLRIDGE WHO STATED HIS MEETING OF SEPT. 26 SIMILAR AND THAT HE MEETING AGAIN WITH BIU PROBABLY OCT 3. HE DID NOT SEE ANY VALUE TO MEETING AND PREDICTED NO CHANGE IN STATUS QUO WOULD EMERGE.

7. COMMENT: IN OUR VIEW, ONLY NEW ELEMENT TO SURFACE AMID LATEST FLURRY OF ACTIVITY IS QUESTION OF KW WORKERS DECIDING RECOGNITION QUESTION BY SECRET BALLOT SUPERVISED BY GOB DEPARTMENT OF LABOR. GOB LABOR RELATIONS OFFICER PERSTON TOLD ECON/COMM. OFFICER OCT. 2 THAT SIMMONS WAS ASSURED IF BIU REQUESTED FORMAL BALLOT, PERSTON WOULD INFORM KW THAT COMPANY FAILURE TO COOPERATE WOULD VIOLATE LOCAL LABOR PRACTICES. DURING CALL AT CONGEN, SIMMONS STATED THAT UNION "NEVER" REQUESTS RECOGNITION ELECTION AND SUCH REQUESTS MUST COME FROM EMPLOYEES. GOB "GUIDE TO CONDUCT OF LABOR RELATIONS
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IN BERMUDA" STATES THAT "THE WISHES OF EMPLOYEES MAY BE ASCERTAINED BY A SECRET BALLOT", WITHOUT SPECIFYING

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MECHANICS OF INITIATING BALLOT PROCEDURE.

8. ACCORDING WOOLRIDGE, SEVERAL BIU SHOP STEWARDS NOW EMPLOYED AS KW FOREMEN, AND EVEN THESE UNION STALWARTS REPORTEDLY UNENTHUSIASTIC ABOUT BIU RECOGNITION AT KW SITE. WE HAVE IT FROM SEVERAL LOCAL OBSERVERS THAT SIMMONS UNLIKELY REQUEST RECOGNITION BALLOT AS BIU VICTORY IS UNCERTAIN.

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